

SUPREME COURT OF THE STATE OF NEW YORK - NEW YORK COUNTY

PRESENT: Hon. George J. Silver, Acting Administrative Judge
Administrative Order

TRIBECA SPACE MANAGERS, INC.,

Plaintiff,

- v -

INDEX NO. 653292/2013

TRIBECA MEWS LTD., HAROLD THURMAN,
BRAD THURMAN, and 25 MYRENTCO, LLC,

Defendants.

Administrative Order:

By letter dated November 27, 2017, plaintiff's counsel requests that this action, currently assigned to the Hon. Frank Nervo (Trial Part 4), be reassigned to the Commercial Division pursuant to Commercial Division Rule 202.70 (f) (2). No response to the request has been received.

The request is denied as untimely. Commercial Division Rule 202.70 (f) (2) provides that a party aggrieved by a transfer of a case to a non-commercial part may seek review by letter application to the Administrative Judge within 10 days of notification. Although this case was originally assigned to the Commercial Division, Justice Charles Ramos transferred the case to a non-commercial part by order dated October 22, 2014 and no party objected at that time. The recent mistrial and recusal of Justice Nervo is not a proper basis to seek review of Justice Ramos' transfer order.

For these reasons, plaintiff's request to transfer this action to the Commercial Division is denied. However, the General Clerk's Office is directed to randomly re-assign this case to one of the other Trial Parts for any re-trial.

Dated: December 21, 2017

ENTER: , A.J.

Check one: FINAL DISPOSITION

NON-FINAL DISPOSITION

GEORGE J. SILVER